



1 North San Antonio Road  
Los Altos, California 94022-3087

## July 14, 2020 City Council Questions; Staff Responses

### Item 1: 06-23-20 Minutes

- Item 8 was pulled off the agenda. Similar to how the minutes capture the continuation of Items 7 & 9, I ask that we do the same for the removal of item 8 from the agenda. This way every agenda item is clearly accounted for in the minutes. e.g.

*The following item was removed from the agenda:*

*8. Legislative Update: Discuss pending legislation and provide direction*

- Council/Staff Reports - could you please confirm by tape or with Vice Mayor Fligor what should be captured here? As written, it is confusing as it conflicts with what was captured under item 5.

Item 2: Do we have to pay into any of the cooperatives. Is this for the community center only?

*Response: No costs, only the opportunity for savings on purchases for both the new community center and other purchases the city may need in the future. There are no term limits on the agreements.*

Item 3: Electronic Signature Policy

- Why two eSignature Providers? Why not DocuSign for all uses (internal & external)?

*Response: Adobe Acrobat Pro (PDF editing software) has been used by several City staff, and Adobe Sign is included in the software license subscription which is cheaper than DocuSign license. The City would use only Adobe Sign if possible.*

*The reason DocuSign was chosen for document signing is because it's one of the original four Approved List of Digital Signature Certification Authorities for the state of California (for external and legal signatures) although the requirement is currently NOT in effect from 4/22/2020 to at least 10/20/2020 due to emergency regulations related to the COVID-19.*

*Using DocuSign requires separate licenses and does not eliminate the need for Adobe Acrobat Pro.*

- Are there any financial related documents that are excluded?

*Response: Some financial related documents may still require a “wet” signature like that from a State agency or Federal grant. Even those are currently being reviewed by them because of the COVID-19 restrictions.*

- Why not require DocuSign for personnel docs as many are confidential?

*Response: Yes, we plan on using Docusign for personnel docs in the next phase of using electronic signatures. We will also be utilizing our new Financial Enterprise system and workflow to electronically enter and sign P.O.’s, invoices and other documents directly for electronic signature.*

#### Item 4: Council Chambers Contract

- Council has defined a new standard for *Fiscal Impact*, this report is not adhering to that standard. Please provide budgeted amount and \$\$ breakdown per Source of Funds.

*Response:*

<i>PEG Funds</i>	<i>\$985,000</i>
<i>Technology Fund</i>	<i>\$150,000</i>
<i>CIP Fund</i>	<i>\$230,000</i>
<i>Total Project Budget</i>	<i>\$1,365,000</i>

*Note: As anticipated, the current amount of PEG Funds is higher than it was when the CIP was reviewed by Council several weeks ago. As such, the amount available for the project is slightly higher than indicated in the Staff Report. As has been explained previously, PEG Funds will be used first, followed by Technology Funds and lastly CIP Funds.*

#### Item 5: Tobacco Retailer License Fee

- Do the fees as proposed recover our costs? I’m confused by the statement, “...create fees that covered costs, but were not overly burdening to business owners.” How does staff assess “overly burdening”?

*Response: Yes, the fees cover the administrative cost to design and enforce the license. We used staff time equations and research to establish the costs. Staff doesn't have a formal way to assess overly burdening, but we set the fees to only recover our costs.*

- The fourth WHEREAS recognizes that enforcement of the ordinance requires time from a Los Altos police officer and administrative staff. Help me understand how the proposed fees recover costs associated with sting operations? Do we have an enforcement plan/policy that speaks to frequency wrt to businesses who sell good that are restricted (alcohol, tobacco)? 4.48.010 - Purpose speaks to “responsible retailing” and “discourage violations .sales or distribution ..to minors”.

*Response: We have an officer who conducts sting operations, as well as routine check-ins. The fees are the time it takes him/her to conduct routine check-ins. The sting operations will continue as normal, but the routine check-ins will take longer so the fee covers this additional time.*

- How does the tobacco retailer license fee compare to other retailer license fees?

*Response: Our fee is lower than other cities in the region. Santa Clara County unincorporated - \$425, Palo Alto - \$425, Los Gatos - \$425*

- Should the third WHEREAS read, “... aide by several restrictions, including, but not limited to, a prohibition of the sale of electronic ...”? The ordinance has number of things they must abide by.

*Response: We will make that change.*

#### Item 7: Cuesta Drive Traffic Calming Project

- What is the proposed project timeline?

*Response: The project duration in the contract is 60 calendar days. The contractor will likely mobilize in mid-August.*

#### Item 9: BLM Mural –

- Why wasn’t this included on the Public Arts Commission Special Meeting held on July 9? The City has a process with respect to consideration public art and it staff’s job to follow the process.

*Response: Staff consulted with the Chair of the Public Arts Commission regarding putting the mural on the July 9 special meeting agenda. The Chair indicated that she did not want the item on the agenda for the special meeting, but would like direction from the Council to consider the idea.*

- I could not find the Public Art Guidelines on the website. The only version I could locate was what was included in the 10/23/18 staff report. The meeting minutes state, “the Council unanimously adopted the City of Los Altos Guidelines for Public Art with direction that was provided during the October 23, 2018 joint meeting with the Public Arts Commission.” Please provide Council with the final version of the document?

*Response: Noted below as Attachment 1*

- Staff is recommending an allocation of \$15,000. This amount is not stated as a not to exceed figure. To whom is the money being given? Is Justice Vanguard Foundation a legal entity? A 501(c)3? A loose affiliation of individuals? Is the sum based on actual expenditure (receipts)? Based on a stipend?

*Response: This is the amount indicated by the Justice Vanguard Foundation as needed for the mural. Other questions should be answered by representatives of the Justice Vanguard Foundation.*

- Who is doing the call for “artists”? Is there an expectation as to whether these are professional artists or student artists?

*Response: These questions should be answered by representatives of the Justice Vanguard Foundation.*

- Is staff expecting Council to decide on the appropriateness of the mural location or is that left to the ad hoc committee?

*Response: If the Council determines that the proposed location is not appropriate, the Council can select a different location or delegate that responsibility to the ad hoc committee. Or, another option could be for the Council to consider an alternative type or piece of art that could be placed in the City.*

- Has someone from engineering services already assessed the traffic safety issue? What is known about the “semi-permanent paint” and our ability to restore the street to original condition (without having a repeat of the SFMOMA installation on State Street)?

*Response:*

*Response: Engineering has been reviewing the proposal and has these comments:*

- *The proposed second block of Main St. would work okay with the dimensions they proposed. We would lose the double yellow line for the 211’ span they proposed.*

- *Since Main is a low speed street, this is probably a low risk. A colorful mural could be a distraction to drivers. It's difficult to predict.*
- *Obstacles to overcome:*
  - *Regular paint is slippery for pedestrians and tires. This can be addressed by adding glass bead cullets to the paint at a cost of about \$150-200.*
  - *Maintenance would likely need to fill cracks on that block to give them a solid "canvas" and to maximize the mural's life*
  - *When it's time to slurry Main St., the entire mural will need to be grinded off the pavement in order for the slurry to stick. (That's why we grind off striping before slurring a road.) That's a big area to grind and it'll make the pavement cosmetically "rough" and a bit costly. More research is needed to understand the cost to grind and what other alternatives exist for removing the paint.*
  - *Main Street is due for slurring in the next year; maybe two. You typically slurry roads with a PCI of 70 or better. Main's 2019 PCI was 72.*
  - *When I add up the costs in their proposal I get \$16,950, plus the cost of the cullets. Although, their price for primer might be high. Jaime estimated \$600. And they'd need another \$600 to paint over the primer in black so they have a good canvas to work on (unless they can find a black colored primer).*
- *Geometrically, the parking plazas don't seem like an ideal backup option to Main St. because the aisles are narrower and there is more tree growth to cover up the mural from the air. 2<sup>nd</sup> or 3<sup>rd</sup> Streets are possible backup options, but the font would need to be smaller and I believe there is more tree shade over those streets than on Main.*
- *If the Council does not prefer Main St., another option would be to paint the words w/in the crosswalks of Main and 2<sup>nd</sup> and 3<sup>rd</sup>: i.e., Black in one x-walk, Lives in the next one, Matter in the third x-walk.*
  - *In Salinas we painted an Aztec mural in one of our x-walks on a busy street that looked really great. However, eventually an emergency underground utility job cut right through it. Thus, where ever we site the mural, we should check what utilities exist underneath and check the condition reports of the Calwater potable and City sewer mains.*

*In addition, staff forwarded these questions to one of the organizers of the street mural proposal and here are that individual's responses to these questions:*

*--This was not brought up in the Public Arts Commission meeting on 7/9 because we were still in the process of solidifying our proposal and adapting the Palo Alto project to fit our needs.*

*-The \$15,000 will go to the Justice Vanguard Foundation which is pending 501c status and is an established organization. The money will go towards a UV protective coating for the mural, painter's tape to outline the painting area, and supplies for each artist team. Each team will be given \$700 to purchase what they need for their letter. This sum was based on the costs of the Palo Alto completed project and comes to a total of about \$14,950.*

*- We will be adding a submission page/contest to the Justice Vanguard Foundation website, [theblackhub.org](http://theblackhub.org). It is there that artists will send in their submissions, and we are in contact with the Palo Alto artists and can bring them to Los Altos as well. There is no expectation to whether these artists are professional or students, just that their work will beautifully capture the importance of Black Lives Matter.*

*-The painting crews will be distanced from one another as they work and will be wearing masks for the duration of the painting session.*

SCC Public Health has issued a directive specific to gatherings. A “gathering” in an event, assembly, meeting, or convening that brings together multiple people from separate households to a single space, indoors or outdoors, at the same time and is a coordinated fashion ...” Could you please provide Council with a PDF of the “Mandatory Directive: Gatherings” Effective July 13, 2020 so we can understand our responsibility as it pertains to sanctioning a mural painting event?

<https://www.sccgov.org/sites/covid19/Documents/Mandatory-Directives-Gatherings.pdf>

See attached.

#### Item 10: Face Coverings

- SCC Public Health’s position with respect to face coverings is as follows:  
**Face coverings:** Everyone must comply with the Face Covering Guidance issued by the California Department of Public Health, which requires most people to wear a face covering most of the time whenever they leave home.

Could you please provide Council with a PDF of the state requirement issued June 18th? [https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Guidance-for-Face-Coverings\\_06-18-2020.pdf](https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Guidance-for-Face-Coverings_06-18-2020.pdf)

*Response: See attached.*

#### Miscellaneous: --

- When will police “stop” data be provided? Will it be available and presented at the Town Hall Meeting on July 28?

*Response: The data is still being compiled and we expect it to be available by the end of this week.*

- Minutes for July 9 - when will they be brought to Council for approval and/or posted on the website?

*Response: We plan for those minutes to be on the next Council agenda.*

- Free speech installation at Lincoln Park - the signs in Lincoln Park are in clear violation of our codes. It's been over 10 days since the event was held. When will the signs be removed? Who's decision is it?

*Response: The Public Arts Commission approved it as a temporary art display through August 3. However, the City Attorney has raised concerns about this and it is likely that it will be removed before the end of the month.*